



Atty. Dkt. No. 016912-0214

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Masayuki SUDOH et al.

Title: COMPOUND HAVING ANTI-HCV ACTION  
AND ITS PRODUCTION METHOD

Appl. No.: 10/563,089

Filing Date: 12/30/2005

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding International application. A copy of the International Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language abstract of the foreign-language documents has been provided where readily available (Documents A1-A4). The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

MAR 21 2006

Date \_\_\_\_\_

By \_\_\_\_\_



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MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

**U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**

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Substitute for form 1449B/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>					
MAR 21 2006					
Date Submitted: _____					
(use as many sheets as necessary)					
Sheet	1	of	1	Attorney Docket Number	
				016912-0214	

## **U.S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A1	JP	07-173123	A	Merck & Co., Inc.	07/11/1995		A
	A2	JP	08-502162	A	Univ. Calif.; Glenn Jeffrey	03/12/1996		A
	A3	WO	98/56755	A1	Takara Shuzo Co., Ltd.	12/17/1998		A
	A4	WO	2004/071503	A1	Chugai Seiyaku Kabushiki Kaisha	08/26/2004		A

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A5	ESUMI et al., "Synthesis of Viridiofungin A Trimethyl Ester and Determination of the Absolute Structure of Viridiofungin A," Tetrahedron Letters, 1998, Vol. 39, pp. 877-880.	
	A6	LOHMANN et al., "Replication of Subgenomic Hepatitis C Virus RNAs in a Hepatoma Cell Line," Science, July 2, 1999, Vol. 285, pp. 110-113.	
	A7	ESUMI et al., "Viridiofungin A no Gosei to Zettai Kozo no Kettei, Dai 39 Kai Symposium on the chemistry of natural products," Symposium papers, 1997, pp. 409-414.	
	A8	The Chemical Society of Japan, "Dai 4 Han Jikken Kagaku Koza 19 Yuki Gosei I-Tanka Suiso Halogen Kagobutsu-", Tokyo, MNaruzen Co., Ltd., 1992, ISBN 4-621-03722-6-C3343, pp. 160-165.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Standard ST.16). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.  
<sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments or the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.